

CHANGING THE WAYS AND MEANS
COMMITTEE ON BEHALF OF THE
DEMOCRATS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. STARK. Mr. Speaker, when the Ways and Means Committee held our organizational meeting earlier today, I offered an amendment to change the committee rules on behalf of the Democrats. My amendment would have allowed the minority party to conduct oversight hearings on the administration when the majority refused to do so. Such a change is vitally important because, with Republicans controlling both Congress and the White House, it is clear that they do not want to expose problems that exist in the Bush administration.

Below is my statement in support of the amendment I offered. It was defeated on party lines. I encourage my colleagues and the public to read this statement and take notice of the fact that Congress' duty to conduct oversight is being undermined in this Republican-run House of Representatives. The full statement follows:

As we consider changes to the Committee's rules, I have an amendment to offer on behalf of the Democrats.

The purpose of my amendment is to restore the duty of oversight to our committee. Since President Bush took office, House Republicans have decided that conducting oversight of the Administration is not a necessary function. We'd like to fix that.

My amendment is very straightforward. It would allow the Ranking Member to request in writing that the Chairman hold a hearing regarding alleged ethical misconduct or any violation of the law by an Administration employee. If the Chairman chose not to hold a hearing within 30 calendar days, then the minority would be allowed to move forward with an official Ways and Means Hearing. We would schedule it. We would invite the witnesses. We would have subpoena authority as well.

Why is this amendment needed?

This amendment is vitally necessary because the Committee on Ways and Means is no longer doing its job with regard to protecting the integrity of the programs under our jurisdiction.

The lack of oversight is a problem across our committees in Congress, but let me provide three prime examples of this problem with the Ways and Means Committee's jurisdiction:

Medicare: There are at least two incidents—that we know of—related to the Medicare debate from the 108th Congress.

First, the Committee failed to fulfill its duties investigating former CMS Administrator Tom Scully's actions to gag Chief Actuary Rick Foster from responding to our requests relating to the Medicare bill in 2003. Given that I had always assumed we had a mutual interest in protecting the prerogatives of the Committee and Congress, I was surprised and disappointed that the majority doesn't apparently share this view.

The Chairman may well try to make the case that we held two hearings on this last year. While we did hold one routine hearing on the Trustees Report, which happens each year, the other one came about only because Democrats forced it through the use of House Rule 11. However, because we had no subpoena authority, neither Tom Scully nor Domestic Policy Advisor Doug Badger were

willing to testify at the hearing. Since they were the key witnesses, our hearing was fairly meaningless. The Chairman had said he would support additional efforts if "laws had been broken." Later independent analysis from both CRS and GAO found that laws had indeed been broken, but the promised oversight never materialized.

Separate from the Scully incident was the discovery that CMS had paid consultants to produce news videos on the Medicare prescription drug bill. GAO found that these ads were covert propaganda and should not have been allowed. In their report, the GAO General Counsel stated, "In a modest but meaningful way, the publicity or propaganda restriction helps to mark the boundary between an agency making information available to the public and agencies creating news reports unbeknownst to the receiving audience."

Marriage Promotion: Now we're discovering that the use of propaganda was not limited to promoting last year's Medicare bill. Everyone has already heard about the Department of Education grant to conservative talk show host Armstrong Williams. But, that isn't in our committee's jurisdiction. Other examples are however.

Thanks to the work of reporters at the Washington Post, Salon and USA Today (thankfully those entities still do oversight), it has been discovered that HHS has provided grants to columnists to promote Bush's marriage promotion agenda.

Specifically, Maggie Gallagher, a syndicated columnist, was paid \$21,500 to promote the Bush marriage agenda in her columns. She is president of the Institute for Marriage and Public Policy, a frequent television guest, and has written on marriage for the New York Times, Wall Street Journal and Weekly Standard. She did not disclose that HHS had paid her to promote the marriage initiative when she was touting it in columns and on television.

Michael McManus, a conservative author and self-proclaimed marriage expert, who writes a syndicated column "Ethics & Religion" also received federal funds from HHS to train "marriage mentors" (\$4000) and \$49,000 to promote marriage among unwed couples. He did not disclose this relationship when writing in support of the marriage initiative in his columns during this same time.

Social Security: Last week, two Social Security Administration employees came forth to raise their concerns that government employees within SSA are being required to promote President Bush's Social Security privatization agenda. Aside from being improper, this is probably illegal as well. Our Senate Democratic Colleagues exposed this latest example of potential wrongdoing.

Mr. Chairman, these are three glaring examples of potential misuse of taxpayer funds in areas all under the jurisdiction of our committee. Yet, we've done nothing to investigate these allegations to discover if they are improper—or worse, to find out if the problems are even more widespread.

Many of us on the Democratic side of the aisle have stepped up to investigate these allegations. We've requested GAO reports as I've cited above. Unfortunately, there is no enforcement for GAO when they find violations of the law. It is up to us in Congress to pursue remedies or to change the law to prevent future violations.

I urge my colleagues to support my amendment. It seems very clear that Republicans don't intend to do this oversight on their own. At least give us the ability to conduct these hearings and do our best to protect the taxpayers from the misuse of government resources.

VOTING OPPORTUNITY AND TECH-
NOLOGY ENHANCEMENT
RIGHTS (VOTER) ACT OF 2005

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. CONYERS. Mr. Speaker, today I rise to introduce on behalf of myself and 25 colleagues the Voting Opportunity and Technology Enhancement Rights Act, or the VOTER Act of 2005, legislation that will help ensure that all voters who are eligible to vote are able to vote and have their vote properly counted in Federal elections.

We have just experienced the second consecutive presidential election where issues were raised concerning irregularities and improprieties. For example, in Ohio we learned of the misallocation of voting machines, which led to lines of 10 hours or more and disenfranchised scores, if not hundreds of thousands, of predominantly minority voters. We also learned of numerous incidents of voter intimidation, as well as the dissemination of misleading information. Members on both sides of the aisle acknowledge that further reforms are needed to ensure that all of our citizens' rights to vote are protected.

As a result, the VOTER Act will provide for a uniform Federal write-in/absentee ballot; require states to provide for a verifiable audit trail; ensure that provisional ballots cast anywhere in a state are counted; eliminate disparities in the allocation of voting machines and poll workers among a state's precincts; mandate early voting and election day registration procedures; protect against improper purging of registration lists in federal elections; provide for a study regarding making election day a public holiday; ease voter registration requirements; allow voter identification by written affidavit; study eliminating partisan election officials from administering federal elections; enhance training for election officials; require the use of publicly available open source software in voting machines; provide uniform standards for vote recounts; prohibit voting machine companies from engaging in political activities; and enhance legal protections against voter intimidation and threats.

The legislation is supported by the NAACP, the NAACP Voter Fund, the Progressive Democrats of America, the UAW, the Black Leadership Forum, Rainbow Push, and the National Voting Rights Institute. The legislation is the House counterpart to S. 17, legislation introduced in the Senate by Senator CHRIS DODD on behalf of the Senate Democratic Leadership.

It is imperative that we have elections that count every vote of every eligible voter. A provisional ballot cast anywhere in the State of Ohio should count just as it does in the State of Iowa. There is no reason that voters in inner city areas should be forced to wait in long lines, while their counterparts in the suburbs are able to vote immediately. If voters in Oregon can vote early, why can't voters in Michigan; if citizens of Idaho enjoy same day registration, why can't voters in Florida; and if voters in Wisconsin can have their elections administered by nonpartisan boards, why can't the rest of us?

If there is any issue that is central to our democracy, it is ensuring that eligible voters are